



U.S. Department
of Transportation

**Pipeline and
Hazardous Materials
Safety Administration**

400 Seventh Street, S.W.
Washington, D.C. 20590

JAN 9 2006

DOT-SP 14253

EXPIRATION DATE: April 30, 2006

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Matheson Tri-Gas
East Rutherford, NJ
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the one-way, one-time transportation in commerce of a non-DOT specification salvage cylinder containing a leaking DOT Specification 3AA2265 cylinder of hydrogen sulfide. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce. The safety analyses did not consider the hazards and risks associated with consumer use, use as a component of a transport vehicle or other device, or other uses not associated with transportation in commerce.
 - c. Party Status will not be granted to the special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR § 173.3(d)(2)(i) in that the salvage cylinder is not an ASME Code "U" stamped pressure vessel and is equipped with a pressure relief device; and the salvage cylinder has not been requalified as specified in § 173.3(d)(9).

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5. BASIS: This special permit is based on the application of Matheson Tri-Gas dated September 15, 2005 and additional information dated November 4, 2005 submitted in accordance with § 107.105 and the public proceeding thereon.
6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Hazardous Materials Description			
Proper Shipping Name	Hazard Class/ Division	Identification Number	Packing Group
Hydrogen sulfide	2.3	UN1053	N/A, Hazard Zone B

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Packaging prescribed is a non-DOT specification full-removable head steel salvage cylinder of welded construction. The salvage cylinder contains a leaking DOT Specification 3AA2265 cylinder of hydrogen sulfide. The salvage cylinder must conform to Ewal Manufacturing Company, Incorporated's drawing SK-148-DES2 dated February 5, 1987 on file with the Office of Hazardous Materials Special Permits and Approvals. The salvage cylinder must have a maximum allowable working pressure of 300 psig and a minimum design burst pressure of 1,200 psig. The salvage cylinder is equipped with one pressure relief device set at 450 psig.

b. TESTING - Periodic requalification is not required, provided the salvage cylinder is removed from hazardous materials service after disposal of the leaking hydrogen sulfide cylinder.

c. OPERATIONAL CONTROLS -

(1) This special permit allows the one-way, one-time transportation between Matheson Tri-Gas facilities from Newark, CA to New Johnsonville, TN for disposal.

(2) Transportation is limited to a motor vehicle owned or leased by Matheson Tri-Gas or its contract carriers.

(3) Drivers and persons who load/unload or transport the salvage cylinder must have been trained in handling and loading/unloading the salvage cylinder.

(4) The salvage cylinder must be labeled as prescribed for the material in the damaged cylinder.

(5) The salvage cylinder must be secured to the motor vehicle by a securement system that conforms with the requirements contained in §§ 393.100 to 393.106.

8. SPECIAL PROVISIONS:

a. A person who is not a holder of this special permit who receives a package covered by this special permit may reoffer it for transportation provided no modification or change is made to the package or its contents and it is reoffered for transportation in conformance with this special permit and the HMR.

b. A current copy of this special permit must be maintained at each facility where the package is offered or reoffered for transportation.

c. The salvage cylinder must be plainly marked on both sides near the middle, in letters at least 2 inches high on a contrasting background "DOT-SP 14253" and "SALVAGE CYLINDER".

9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.

10. MODAL REQUIREMENTS: A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

- o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.

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- o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

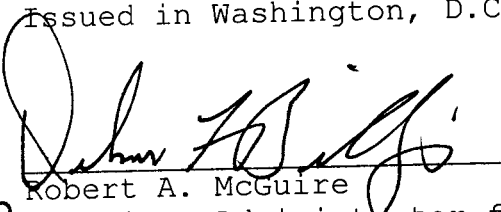
No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous transportation law by changing the term 'exemption' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of

this special permit must notify the Associate Administrator for Hazardous Materials Safety -- OHMSPA, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.


for Robert A. McGuire

Associate Administrator for
Hazardous Materials Safety

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DATE

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm
Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

PO: CWFreeman